

Date: June 5, 2007  
 To: Court of Appeals Judges, Director of State Courts, Staff Counsel, Clerk's Office Staff  
 From: David R. Schanker, Clerk  
 Re: COURT OF APPEALS MONTHLY STATISTICAL REPORT - MAY

**Cumulative: January 1, 2007 through May 31, 2007**

<b>APPELLATE DISTRICT</b>	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>TOTAL</b>
Cases Carried Over from December 31	<u>702</u>	<u>453</u>	<u>376</u>	<u>476</u>	<u>2007</u>
Civil	309	255	213	294	1071
Criminal	393	198	163	182	936
Cases Filed	<u>347</u>	<u>267</u>	<u>253</u>	<u>309</u>	<u>1176</u>
Civil	174	130	143	176	623
Criminal	173	137	110	133	553
Cases Docketed	<u>1049</u>	<u>720</u>	<u>629</u>	<u>785</u>	<u>3183</u>
Civil	483	385	356	470	1694
Criminal	566	335	273	315	1489
Cases Reopened	<u>4</u>	<u>3</u>	<u>2</u>	<u>9</u>	<u>18</u>
Civil	4	3	1	7	15
Criminal	0	0	1	2	3
Cases Terminated*	<u>318</u>	<u>284</u>	<u>322</u>	<u>317</u>	<u>1241</u>
Opinion - Civil	84	67	76	79	306
Opinion - Criminal	<u>76</u>	<u>27</u>	<u>44</u>	<u>39</u>	<u>186</u>
Subtotal	160	94	120	118	492
Sum. Disp. – Civil	22	34	24	23	103
Sum. Disp. - Criminal	<u>39</u>	<u>74</u>	<u>61</u>	<u>46</u>	<u>220</u>
Subtotal	61	108	85	69	323
Memo Opinion - Civil	47	45	73	63	228
Memo Opinion - Criminal	<u>35</u>	<u>23</u>	<u>30</u>	<u>40</u>	<u>128</u>
Subtotal	82	68	103	103	356
Other - Civil	10	11	12	20	54
Other - Criminal	<u>5</u>	<u>3</u>	<u>2</u>	<u>7</u>	<u>18</u>
Subtotal	15	14	14	27	72
Cases Pending	<u>735</u>	<u>439</u>	<u>309</u>	<u>477</u>	<u>1960</u>
Civil	324	231	172	292	1019
Criminal	411	208	137	185	941

\* Terminations are adjusted to reflect dispositions by panels assigned to cases filed in other districts and cover the "number of cases" terminated.

## Cases Activity During the Month of May 2007

Page 2

<b>APPELLATE DISTRICT</b>	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>TOTAL</b>
<b>Cases Filed</b>	<u>82</u>	<u>57</u>	<u>54</u>	<u>53</u>	<u>246</u>
Civil	40	19	31	31	121
Criminal	42	38	23	22	125
<b>Cases Terminated</b>	<u>89</u>	<u>73</u>	<u>68</u>	<u>70</u>	<u>300</u>
Opinion - Civil	28	12	22	19	81
Opinion - Criminal	21	13	7	11	52
				2 – I/IV 3 – III/IV	
Sum. Disp. - Civil	4	13	6	9	32
Sum. Disp. - Criminal	7	15	10	8	40
				4 – I/IV	
Memo Opinion - Civil	12	9	14	15	50
Memo Opinion - Criminal	13	5	5	3	26
		2 – I/II			
Other - Civil	4	5	4	5	18
Other - Criminal	0	1	0	0	1
<b>Cases Reopened</b>	<u>2</u>	<u>1</u>	<u>1</u>	<u>2</u>	<u>6</u>
Civil	2	1	0	2	5
Criminal	0	0	1	0	1

<b>Notices of Appeal Filed:</b>	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>TOTAL</b>
<b>One-Judge Appeals</b>	<u>4</u>	<u>9</u>	<u>5</u>	<u>12</u>	<u>30</u>
Civil	4	4	4	8	20
Criminal	0	5	1	4	10
<b>Three-Judge Appeals</b>	<u>64</u>	<u>39</u>	<u>45</u>	<u>36</u>	<u>184</u>
Civil	24	10	24	19	77
Criminal	40	29	21	17	107

<b>Sup. Writs Filed</b>	7	2	2	5	16
<b>Sup. Writs Terminated</b>	<u>3</u>	<u>1</u>	<u>2</u>	<u>5</u>	<u>11</u>
Granted	0	0	1	1	2
Denied, Dismissed, Other	3	1	1	4	9
Sup. Writs Pending	21	6	3	11	41

<b>Leave to Appeal Filed</b>	6	5	3	2	16
<b>Leave to Appeal Terminated</b>	<u>6</u>	<u>4</u>	<u>4</u>	<u>6</u>	<u>20</u>
Granted	1	0	0	1	2
Denied, Dismissed, Other	5	4	4	5	18
<b>Leave to Appeal Pending</b>	22	8	5	7	42

## Additional Matters During the Month of May 2007

Page 3

<b>APPELLATE DISTRICT</b>	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>TOTAL</b>
<b>Motions Filed</b>					
Numbered Cases	97	74	51	97	319
Extensions of Time	57	61	41	39	198
Unnumbered Cases	91	78	41	43	253
Sua Sponte Matters	<u>34</u>	<u>12</u>	<u>22</u>	<u>18</u>	<u>86</u>
Total Motions Filed	279	225	155	197	856
<b>Motions Terminated</b>					
Numbered Cases	112	122	56	114	404
Extensions of Time	73	65	43	46	227
Unnumbered Cases	135	89	44	39	307
Sua Sponte Matters	<u>39</u>	<u>15</u>	<u>24</u>	<u>21</u>	<u>99</u>
Total Motions Terminated	359	291	167	220	1037
<b>Motions Pending</b>					
Numbered Cases	110	44	24	63	241
Extensions of Time	9	3	2	9	23
Unnumbered Cases	25	4	5	12	46
Sua Sponte Matters	<u>11</u>	<u>3</u>	<u>6</u>	<u>14</u>	<u>34</u>
Total Motions Pending	155	54	37	98	344
<b>Opinions Circulating:</b>	15	13	4	12	44
<b>Opinions Approved but not Released:</b>	7	7	0	0	14
<b>Petitions for Bypass Filed</b>	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3</u>
Civil	3	0	0	0	3
Criminal	0	0	0	0	0
<b>Certifications Filed</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Civil	0	0	0	0	0
Criminal	0	0	0	0	0
<b>Petitions for Review Filed</b>	<u>19</u>	<u>16</u>	<u>7</u>	<u>12</u>	<u>54</u>
Civil	10	8	2	9	29
Criminal	9	8	5	3	25

## **Wisconsin Court of Appeals Explanation of Termination Categories**

### **OPINIONS**

Includes three-judge and one-judge authored opinions and per curiam opinions. All per curiam opinions are assigned to a supervising judge who has the responsibility for approval of the final draft of the opinion after circulation to the panel.

### **SUMMARY DISPOSITIONS**

Includes opinions issued in the form of a court order after the court has reviewed the briefs and record, and following a screening and decision conference(s). All dispositions in this category are assigned to a supervising judge who is responsible for approval of the final draft of the opinion after circulation to the panel.

### **MEMO OPINIONS**

Includes opinions issued in the form of a court order prior to a screening and decision conference(s). Examples of memo opinions are: jurisdictional terminations; petitions for writs denied or granted if the order terminates the action; petitions for leave to appeal that are denied; summary disposition of unscreened cases – usually upon a motion; motions to dismiss on the merits that are granted; transfers to circuit court; any other miscellaneous termination of an appeal in which judicial time is expended and a full explication of reasoning is set forth.

### **OTHER**

Includes miscellaneous orders terminating cases that are issued by the Clerk's Office. Examples of miscellaneous orders are: voluntary dismissals; stipulations to dismiss; failure of an appellant to submit filing fee information.

**Please Note:** Case filings are counted according to the district of origin and tracked through the appellate process in the filing district. Terminations, however, are counted in the district that issued the opinion. For example, a case filed in District IV, but transferred to District III, will be counted as a pending case in District IV until the opinion is issued when adjustments will be made to reflect the termination by District III. In this example, the District III termination will result in one less case pending in District IV.

Page 2 of the Monthly Statistical Report reflects how many cases terminated by a particular district are transfer cases. Page 3 of the report reflects the current status of transfer cases.